



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
200 VESEY STREET, SUITE 400  
NEW YORK, NY 10281-1022

June 29, 2015

**Via Email to SullivanNYSDChambers@nysd.uscourts.gov and ECF**

Hon. Richard J. Sullivan  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2104  
New York, New York 10007

**Re: SEC v. Zachary Zwerko and David L. Post (14-cv-8181-RJS)**

Dear Judge Sullivan:

We represent the Plaintiff, Securities and Exchange Commission (the "Commission"), in this action. We write in response to the Court's January 30, 2015 Order staying this matter pending resolution of the parallel criminal action (United States v. Post, et ano., 14-cr-715-AKH) and April 30, 2015 Order by Memo Endorsement, which "So Ordered" our undertaking to provide a status report by June 30 (Docket Entries 12, 15).

The parallel criminal case is moving toward resolution but is not resolved. As previously reported, both Defendant Post and Defendant Zwerko have pleaded guilty to all counts of their respective Informations. Currently, Defendant Zwerko is scheduled to be sentenced on August 13, 2015, and Defendant Post is scheduled to be sentenced on October 2, 2015.

Accordingly, because the criminal case against the Defendants remains pending, the parties believe that the Court should leave the stay in effect. The parties will provide an additional update to the Court on or before October 16, 2015.

If the Court has any further questions, the parties are available for a conference.

Respectfully submitted,



Charles D. Riely

Dominick D. Barbieri

cc (via email):

Craig Carpenito, Esq.

Alston & Bird

90 Park Ave.

New York, New York 10016

Craig.Carpenito@alston.com

(Counsel for Defendant David L. Post)

Jeffrey Denner, Esq.

Denner Criminal Defense Group

4 Longfellow Place, 35th Floor

Boston, Massachusetts 02114

jdenner@dennerlaw.com

(Counsel for Defendant Zachary Zwerko)